

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BLUEFIELD

ROIANN JOHNSON,

Plaintiff,

v.

CIVIL ACTION NO. 1:10-00703

UNITED STATES OF AMERICA, et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

By Standing Order, on May 3, 2010, this action was referred to United States Magistrate Judge R. Clarke VanDervort for submission of findings and recommendations regarding disposition pursuant to 28 U.S.C. § 636(b)(1)(B). Doc. No. 5. Magistrate Judge VanDervort submitted to the court his Proposed Findings and Recommendation (PF&R) on July 15, 2013, in which he recommended that the District Court dismiss plaintiff's complaint (Doc. No. 1) and remove this matter from the court's docket. See Doc. No. 14.

In accordance with 28 U.S.C. § 636(b), the parties were allotted fourteen days, plus three mailing days, within which to file any objections to Magistrate Judge VanDervort's PF&R. The failure of any party to file such objections constitutes a waiver of such party's right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

The parties failed to file any objections to Magistrate Judge VanDervort's PF&R within the seventeen-day period. Having reviewed the PF&R, the court adopts the findings and recommendations therein. Accordingly, the court **DISMISSES** plaintiff's complaint (Doc. No. 1).

The Clerk is directed to forward a copy of this Memorandum Opinion and Order to plaintiff, pro se, and counsel of record. The Clerk is further directed to remove this case from the court's active docket.

**IT IS SO ORDERED** this 7th day of August, 2013.

ENTER:

A handwritten signature in black ink, appearing to read "David A. Faber", is written over a horizontal line.

David A. Faber  
Senior United States District Judge